

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/939,410	08/24/2001	Joseph A. Kwak	I-2-203US

24374  
VOLPE AND KOENIG, PC  
DEPT ICC  
SUITE 400, ONE PENN CENTER  
1617 JOHN F. KENNEDY BOULEVARD  
PHILADELPHIA, PA 19103

RECEIVED  
AM/PM

SEP 28 2001

**VOLPE & KOENIG, P.C.**

CONFIRMATION NO. 4309

FORMALITIES LETTER



\*OC000000006794471\*

Date Mailed: 09/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/07/2002 BNGUYEN1 00000056 090435 09939410

01 FC:105

130.00 CH



**PATENT**

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the **PATENT APPLICATION** of:

Joseph A. Kwak

**Application No.:** 09/939,410

**Confirmation No.:** 4309

**Filed:** August 24, 2001

**For:** PHYSICAL LAYER AUTOMATIC  
REPEAT REQUEST (ARQ)

**Group:** 2681

**Examiner:** Not Yet Known

Our File: I-2-203US

Date: November 5, 2001

**COMMUNICATION IN RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Box IPED  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the September 26, 2001 Notice to File Missing Parts of Nonprovisional

Application, the following are enclosed:

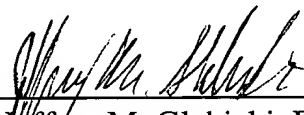
1. Copy of Notice to File Missing Parts of Nonprovisional  
Application;
2. a signed Declaration; and
3. Payment in the amount of \$130 as payment of the surcharge as indicated on  
the attached Fee Transmittal Sheet.

**Applicant:** Joseph A. Kwak  
**Application No.:** 09/939,410

Concurrently filed is formal drawings. Entry of this Communication is respectfully submitted.

Respectfully submitted,

Joseph A. Kwak

By   
Jeffrey M. Glabicki, Esquire  
Registration No. 42,584  
(215) 568-6400

Volpe and Koenig, P.C.  
Suite 400, One Penn Center  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103

JMG/lma  
Enclosures



Please type plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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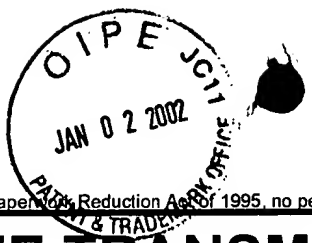
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/939,410	
	Filing Date	August 24, 2001	
	First Named Inventor	Joseph A. Kwak	
	Group Art Unit	2681	
	Examiner Name	Not Yet Known	
Total Number of Pages in This Submission	7	Attorney Docket Number	I-2-203US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Executed Declaration</b>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Jeffrey M. Glabicki, Esquire Volpe and Koenig, P.C.	Reg. No. 42,584
Signature		
Date	11/5/01	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box IPED, Commissioner for Patents, Washington, DC 20231 on this date: 11/5/01			
Typed or printed name	Jeffrey M. Glabicki, Esquire		
Signature		Date	11/5/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	09/939,410
Filing Date	August 24, 2001
First Named Inventor	Joseph A. Kwak
Examiner Name	Not Yet Known
Group Art Unit	2681
Attorney Docket No.	I-2-203US

TOTAL AMOUNT OF PAYMENT (\$ ) 130.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 09-0435

Deposit Account Name: InterDigital Comm. Corp.

☒ Charge any Deficiencies or Credit any Overpayment in the Total Fees Associated With This Communication

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION (continued)

3. ADDITIONAL FEES					
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid		
105 130	205 65	Surcharge - late filing fee or oath	130		
127 50	227 25	Surcharge - late provisional filing fee or cover sheet			
139 130	139 130	Non-English specification			
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination			
112 920*	112 920*	Requesting publication of SIR prior to Examiner action			
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action			
115 110	215 55	Extension for reply within first month			
116 400	216 200	Extension for reply within second month			
117 920	217 460	Extension for reply within third month			
118 1,440	218 720	Extension for reply within fourth month			
128 1,960	228 980	Extension for reply within fifth month			
119 320	219 160	Notice of Appeal			
120 320	220 160	Filing a brief in support of an appeal			
121 280	221 140	Request for oral hearing			
138 1,510	138 1,510	Petition to institute a public use proceeding			
140 110	240 55	Petition to revive - unavoidable			
141 1,280	241 640	Petition to revive - unintentional			
142 1,280	242 640	Utility issue fee (or reissue)			
143 460	243 230	Design issue fee			
144 620	244 310	Plant issue fee			
122 130	122 130	Petitions to the Commissioner			
123 50	123 50	Processing fee under 37 CFR 1.17(q)			
126 180	126 180	Submission of Information Disclosure Stmt			
581 40	581 40	Recording each patent assignment per property (times number of properties)			
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))			
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))			
179 740	279 370	Request for Continued Examination (RCE)			
169 900	169 900	Request for expedited examination of a design application			
Other fee (specify)					
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(\$ ) 130.00

## FEE CALCULATION

1. BASIC FILING FEE										
Large Entity		Small Entity		Fee Description						
Fee Code	Fee (\$)	Fee Code	Fee (\$)							
101	740	201	370	Utility filing fee	<table><tr><td></td></tr><tr><td></td></tr><tr><td></td></tr><tr><td></td></tr><tr><td></td></tr></table>					
106	330	206	165	Design filing fee						
107	510	207	255	Plant filing fee						
108	740	208	370	Reissue filing fee						
114	160	214	80	Provisional filing fee						
SUBTOTAL (1)				(\$)	0.00					

2. EXTRA CLAIM FEES

Total Claims:  - \*\* =  X  =

Independent Claims:  - \*\* =  X  =

Multiple Dependent:  =

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	
103 18	203 9	Claims in excess of 20		
102 84	202 42	Independent claims in excess of 3		
104 280	204 140	Multiple dependent claim, if not paid		
109 84	209 42	** Reissue independent claims over original patent		
110 18	210 9	** Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2)				(\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Jeffrey M. Glabicki, Esquire	Registration No. (Attorney/Agent)	42,584
Signature		Telephone	215-568-6400
		Date	11/5/01

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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